

Cardillo & Corbett
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Tulio R. Prieto (TP-8455)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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TBS OCEAN CARRIERS, LTD.,

Plaintiff,

-against-

EFE SHIPPING & INDUSTRY CO. LTD.,
a/k/a EFE DENIZCILIK SANAYI VE
TICARET LIMITED SIRKETI, a/k/a
EFE CHARTERING, a/k/a EFE, and
ODYSES BULK CARRIER LTD.,

Defendants.
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: **ECF**
: **AFFIDAVIT PURSUANT**
: **TO SUPPLEMENTAL**
: **RULE B**

: **08 Civ. 1288(SHS)**

STATE OF NEW YORK)

ss.:

COUNTY OF NEW YORK)

TULIO R. PRIETO, being duly sworn, deposes and
says:

1. I am a member of the Bar of this Court and a
member of the firm of Cardillo & Corbett, attorneys for the
Plaintiff herein. I am familiar with the facts of this case
and make this affidavit in support of Plaintiff's prayer for
the issuance of a Writ of Maritime Attachment and Garnishment,
pursuant to Rule B of the Supplemental Rules for Certain

Admiralty and Maritime Claims of the Federal Rules of Civil Procedure.

2. I have attempted to locate the defendants, EFE SHIPPING & INDUSTRY CO. LTD., ("EFE") a/k/a EFE DENIZCILIK SANAYI VE TICARET LIMITED SIRKETI, a/k/a EFE CHARTERING, a/k/a EFE, and ODYSES BULK CARRIER LTD. ("Odyses"), within this District. As part of my investigation to locate the Defendants within this District, I examined the telephone company information directory, as well as the white and yellow pages of New York listed on the Internet or World Wide Web, and did not find any listing for the Defendants.

3. The database of the office of the New York State Secretary of State was searched to determine if the Defendants are qualified to do business in New York, without result.

4. On information and belief, EFE was, and still is, a foreign business entity organized and existing under the laws of a foreign country with an address at BAKDAT CADDESI. 113/11 KONAK APT. 113/11 81040 FENERYOLU / KADIKÖY / ISTANBUL. Upon information and belief, EFE is also known as EFE DENIZCILIK SANAYI VE TICARET LIMITED SIRKETI, EFE CHARTERING, and EFE.

5. On information and belief, Odyses was, and still is, a foreign business entity organized and existing under the laws of a foreign country with an address at Henville Building, Prince Charles Street, Charlestown, Nevis.

6. In consequence of these inquiries your deponent believes that the Defendants cannot be found within the Southern District of New York.

7. Upon information and belief, Defendants have, or will have during the pendency of this action, tangible and intangible property within the District in the hands of ABN Amro Bank NV, American Express Bank, Bank of America, Bank of China, Bank of Communications Co. Ltd. New York Branch, Bank of New York, Barclays Bank, BNP Paribas, Citibank, Deutsche Bank, HSBC (USA) Bank, J.P. Morgan Chase, Standard Chartered Bank, UBS AG and/or Wachovia Bank, in the form of accounts and/or fund transfers identified as follows:

- a) accounts in the name of EFE SHIPPING & INDUSTRY CO. LTD. and/or EFE DENIZCILIK SANAYI VE TICARET LIMITED SIRKETI and/or EFE CHARTERING and/or EFE and/or ODYSES BULK CARRIER LTD., or
- b) electronic funds transfers listing EFE SHIPPING & INDUSTRY CO. LTD. and/or EFE DENIZCILIK SANAYI VE TICARET LIMITED SIRKETI and/or EFE CHARTERING and/or EFE and/or ODYSES BULK CARRIER LTD., as a beneficiary of the funds transfer, or
- c) electronic funds transfers showing EFE SHIPPING & INDUSTRY CO. LTD. and/or EFE DENIZCILIK SANAYI VE TICARET LIMITED SIRKETI and/or EFE CHARTERING and/or EFE and/or ODYSES BULK CARRIER LTD., as the remitting party or ordering customer.

WHEREFORE, TBS OCEAN CARRIERS, LTD., respectfully requests that the Court authorize the issuance of process in

the form of a Writ of Maritime Attachment and Garnishment seeking attachment and garnishment of the tangible and intangible property of the Defendants, EFE SHIPPING & INDUSTRY CO. LTD., a/k/a EFE DENIZCILIK SANAYI VE TICARET LIMITED SIRKETI, a/k/a EFE CHARTERING, a/k/a EFE, and ODYSES BULK CARRIER LTD., within this District.


TULIO R. PRIETO

Sworn to before me this
8th day of February, 2008


NOTARY PUBLIC

CHRISTOPHIL B. COSTAS
Notary Public, State of New York
No. 31-0773693
Qualified in New York County
Commission Expires April 30, 2011